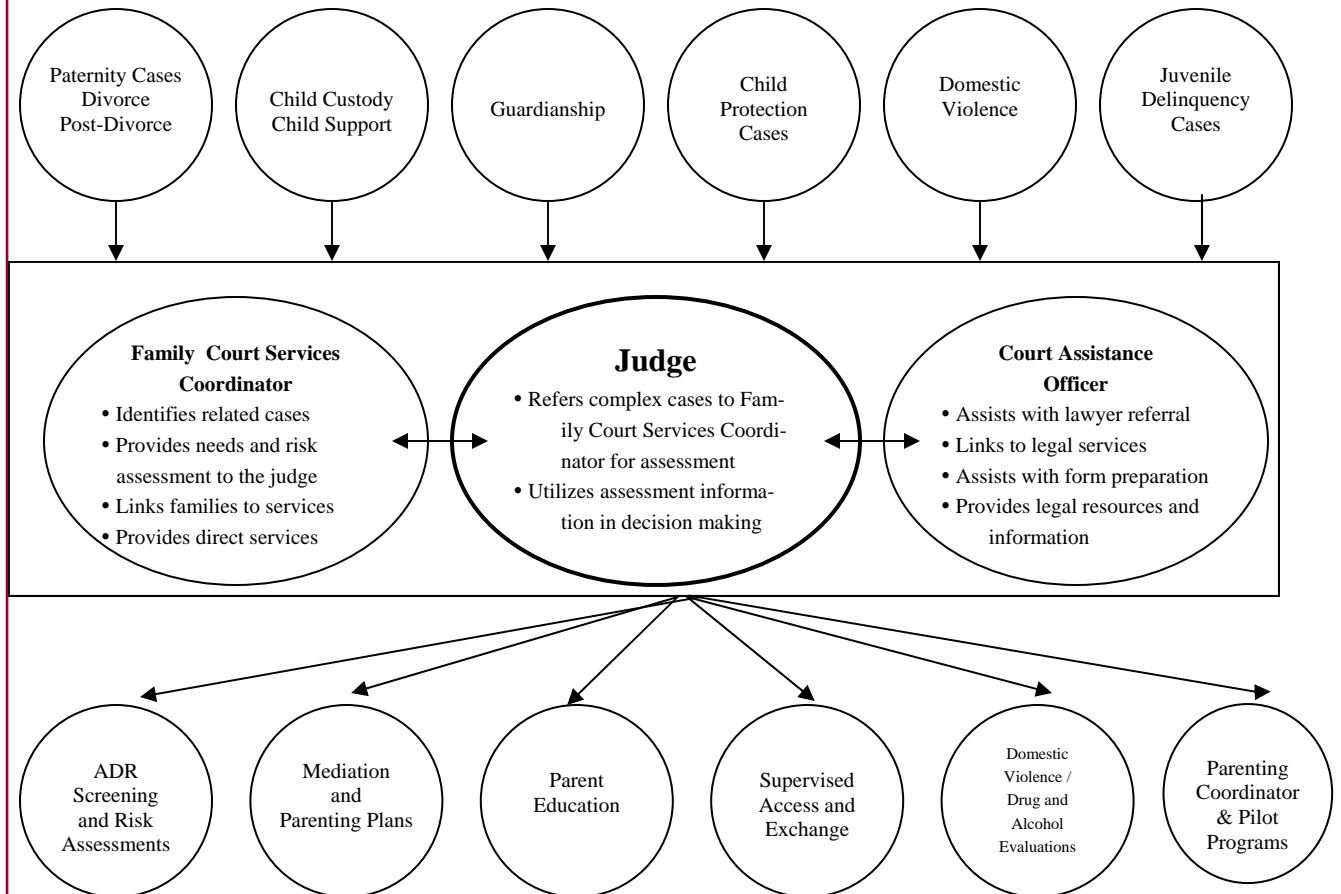


Children and Families in the Courts 2005

Report to Governor Dirk Kempthorne And the Second Regular Session of the 58th Idaho Legislature

In 2005, over 74,500 Idahoans received coordinated services through court assistance officers, family court service coordinators, parent education, mediation and other direct services. These services are designed to promote access to the courts, reduce conflict, protect children and increase positive outcomes for families. Magistrate judges continue to hear an increasing number of court cases involving children and families with thousands of cases proceeding without attorneys. The leadership, dedication and innovation, coupled with coordinated family services, court assistance offices and other court improvement efforts, such as grants from the Rocky Mountain Quality Improvement Center and the State Justice Institute, have strengthened the court's capacity to respond to the increasing challenges of cases involving children and families. The following model demonstrates Coordinated Family Court Services.



Children and Families in the Courts 2005

Family Court Services Reach over 35,000 Idahoans

Seven judicial districts benefit from Family Court Services. In addition, six districts have a Family Court Services Coordinator (FCSC). The Coordinator is an important resource to the judge in assessing the needs of families, providing direct services as well as coordinating court-ordered services and resources for families. In 2005, over 8,500 families received court-connected services such as mediation, parent education and supervised access, impacting more than 9,700 children statewide. Additionally, FCSCs provided resource information and referrals to an estimated 16,800 Idahoans in 2005.

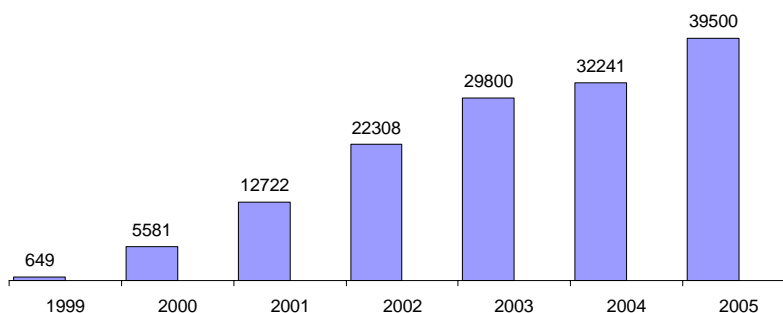
COURT ASSISTANCE OFFICES SERVE ALMOST 40,000 IDAHOANS

The Court Assistance Office Project (CAOP) is a state-wide effort with services available in all 44 Idaho counties. In 2005, Court Assistance Officers (CAO) provided direct services over 39,500 times, a 22 percent increase over 2004 services. This is in addition to the 400 average users per day of the Court Assistance Office web-site, and users of county web-sites featuring Court Assistance Office materials. The website allows on-line access to CAO services statewide, including referral to attorneys. Individuals requesting direct services that involve domestic relations cases where children are members of the household represent the majority of the population served by CAOs.

Over 200 forms have been developed for court matters. There are forms packets available for: divorces, both with and without minor children; child custody, visitation and child support; modification of child custody and/or child support; genetic tests; registration of a child custody determination; name change; landlord eviction; tenant repairs; minor permission to marry; minor guardianship; small claims; and domestic violence protection orders.

In 2005, work began on development of an Interactive Forms Project, computer-based court forms which will produce accurate, complete, and legible forms in both English and Spanish, as well as clear, simple instructions on how to use each form, in response to simple questions posed by the computer. The project will be featured at the Legal Services Corporation's Technology Incentive Grant Conference in January of 2006 and also at the 2006 American Bar Association's Technology Conference in April. This work is being done in conjunction with Idaho Legal Aid Services (ILAS) under a Technology Initiative Grant awarded to the Supreme Court and the ILAS from the National Legal Services Corporation.

**Idahoans Served
by Court Assistance Offices**



Children and Families in the Courts 2005

CHILDREN AND FAMILIES RECEIVE BETTER SERVICES THROUGH NEW AND INNOVATIVE PILOT PROJECTS

Idaho's seven judicial districts offer a broad range of pilot projects and specialized services to families. These services provide them with the knowledge and skills needed to reach long term resolutions. In the First Judicial District, judges, lawyers and mental health professionals are developing new models for resolving family disputes that revolve around non-adversarial proceedings. The First, Fourth, Sixth and Seventh Districts have developed specialized case coordination and case management practices for early case screenings. The focus of the screening is on problem-solving approaches to meet the needs of families by crafting solutions that promote long-term stability for children and families and minimize the need for subsequent court action. An evaluation of these practices in the Sixth and Seventh Districts, developed under a grant from the State Justice Institute, found that early screening of cases helped families to access resources early in the divorce process, reduced conflict and shortened the amount of time families spent resolving their cases. Judges also reported a reduction in conflict and greater access to resources as a result of the project. Judges and attorneys viewed the project as decreasing the need for hearings.

CASE MANAGEMENT IN ADA COUNTY

In Ada County, a Family Violence Court has been implemented under the direction of Senior Judge Lowell Castleton. The Family Violence Court is devoted to strengthening families who struggle with multiple issues through early intervention strategies and a single judge for case management and case coordination. The Ada County Family Violence Court Grant Project is completing a three-year research study funded by a Federal grant from the Children's Bureau and administered by the Rocky Mountain Quality Improvement Center. The grant is a highly collaborative service design that involves comprehensive case management, funding for domestic violence and substance abuse treatment, as well as parenting programs that address child abuse and neglect issues. An evaluation of the project is in process and is expected to be completed by June 2006.

MORE INNOVATIVE PILOT PROJECTS AND SERVICES

There are a number of other programs devoted to serving families that have been implemented or are being piloted in individual communities and on a statewide basis including:

- Programs for children whose parents are divorcing in the 2nd, 5th, and 6th judicial districts.
- Appointment of a Guardian Ad Litem (GAL) for child custody cases in the 3rd district when there is the potential for risk to children as a result of substance abuse, mental health issues or family violence. The GAL project is in the pilot stages and an evaluation is pending.
- Interim Parenting Time Evaluation project in the 6th judicial district.
- Parenting Coordinators are statewide.
- Effective Co-Parenting and Co-Parenting of Infants and Toddlers classes in the 7th judicial district provide additional educational opportunities for the divorcing family with young children.

Children and Families in the Courts 2005

Child Protection: Meeting the Challenge

In the last decade, child protection courts have experienced an almost forty percent increase in case filings. In 2005, case filings increased by six percent (6%), almost double the average annual rate of growth in the past decade. The Child Protection committee is charged with the task of making recommendations to strengthen and enhance the court's role in the child protection process. In the past year, the Child Protection Committee has focused its efforts on exploring ways to assure that each party in a child protection case is represented by knowledgeable and effective legal counsel, developing a cutting edge data collection module, strengthening Idaho guardian ad litem programs, and increasing federal foster care maintenance payments for Idaho children in foster care.

Enhancing the Quality of Legal Representation

Child protection cases are complex and profoundly affect the lives of Idaho's abused and neglected children and their families. There is a direct relationship between strong, effective legal representation of parties in child protection cases and improved outcomes for abused and neglected children. Ensuring strong, effective legal representation for parties in child protection cases will improve outcomes for children. The Child Protection committee is currently assessing the strengths and areas of concern in regard to representation of parties in Idaho child protection cases. Legal representation for the Department of Health and Welfare is an issue of significant concern. The Committee is also exploring the need for and feasibility of mandatory standards and minimum training for attorneys practicing in child protection court. Over the course of the next year, the Committee will develop recommendations to the court to standardize statewide practices and procedures that result in strong, effective legal representation in child protection cases, as well as recommend the implementation of best practice that have proved successful in other states.

Developing Technological Resources

Accurate local and statewide data are critical to effectively identifying the strengths of and areas of concern for Idaho's child protection courts, and for measuring the success of court improvement efforts. The new Statewide Trial Court Automated Records System (ISTARS) is currently being piloted in Bannock County, Kootenai County and Nez Perce County, and will allow child protection courts to assess, both locally and statewide, the court's performance on 18 national outcome measures and ensure timely permanent placement for Idaho's most vulnerable children.

Strengthening Guardian Ad Litem Programs

In 2005, the Child Protection Committee invited the Executive Directors of the CASA programs in each of the seven judicial districts to meet over the course of the year to assess the current status of and work collaboratively to strengthen Idaho's guardian ad litem programs. Currently, the committee is working with the local executive directors to develop minimum standards for Idaho guardian ad litem programs and minimum standards and training for guardian ad litem volunteers.

Children and Families in the Courts 2005

NEW ASSESSMENT AIDS IN JUVENILE DELINQUENCY PREVENTION AND INTERVENTION

The passage of SB 1165, now I.C. 20-511A, presented judges handling juvenile justice and child protective cases involving a mentally ill child a new tool. The new tool provides the court with a process to order mental health assessments and treatment, or intervene and focus current treatment in cases where the emotional or mental health issue is evident and impairs the child's ability to comply with court orders. The assessment is especially beneficial when mental health issues present risks to the safety of the child, community or both. Rules were adopted by the Supreme Court to help implement this new law. Judges describe positive results in cases where the assessment has been used.

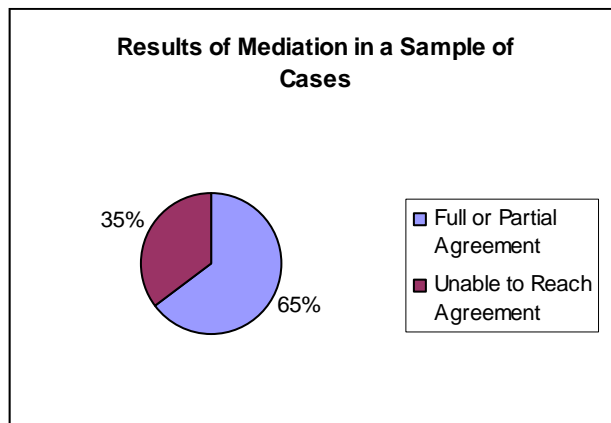
In 2005, Youth Courts in Idaho served over 674 youth and over 319 status offenders accessed services due to the funding provided. The Idaho Courts receive Millennium Funds to support Youth Courts, Status Offender Services and other programs targeted at prevention and intervention of juvenile delinquency as it relates to tobacco and substance abuse. In addition, judges handling juvenile cases around the state provide leadership to innovative programs that target and redirect delinquent behavior and build skills such as Truancy Court, Runaway and Beyond Control Court and Bannock County's "Constructing a Future" Program.

TRENDS IN ALTERNATIVE DISPUTE RESOLUTION (ADR)

Research shows that Idaho Courts order approximately 280 ADR screenings in high conflict cases each year. ADR Screenings are ordered in many domestic relations cases where potential risk factors are present for children and family members. ADR Screenings provide judges with important information about complex issues challenging the family.

MEDIATION OFFERED

Family Court Services Coordinators assisted 836 families by providing mediation services directly or assisting the family to access a mediator during the year. Family Court Services tracked some of the families who participated in mediation services and found that of the families tracked, approximately 65% reached a full or partial agreement.



SUPERVISED ACCESS ALLOWS CONTACT

In 2005, 273 parents were able to maintain a relationship with their children due to supervised access and supervised exchange services. Supervised access and supervised exchanges allow contact between parents and children when certain risk factors are present. This service allows children to have access to both parents during a time when there is potential risk to children and family members, if appropriate.

Children and Families in the Courts 2005

PARENT EDUCATION CLASSES ATTENDED BY OVER 5500 PARENTS

Over 5,580 parents attended parent education classes for divorcing and never-married parents in 2005. An exit evaluation from parents who attended the classes statewide indicates that over 90% of parents plan to make a stronger effort to work with the other parent to reduce parental conflict for the sake of their children. Parent Education Classes are provided in all seven judicial districts and are designed to heighten the parent's awareness of the emotional and developmental needs of the child. The information prepares parents for mediation by helping them focus on their children's needs.

Additional information relating to Children and Families in the Court is posted on the Supreme Court website at www.state.id.us/judicial/family05.pdf. If you have questions or need additional information please contact:

Patricia Tobias

Administrative Director of the Courts

Phone: 208-334-2246

E-mail: ptobias@idcourts.net